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C O N F I D E N T I A L SECTION 01 OF 03 PORT AU PRINCE 000169

SIPDIS

DEPARTMENT FOR WHA

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TAGS: [PGOV](#) [HA](#)

SUBJECT: CORE GROUP REPS MEET WITH PREVAL ON SENATE
ELECTIONS; PRESIDENT BACKS CEP, BLAMES FL "DISORGANIZATION"
AND ARISTIDE'S REFUSAL TO DESIGNATE LIST

REF: A. (A) PORT AU PRINCE 166
[1](#)B. (B) PORT AU PRINCE 157

PORT AU PR 00000169 001.2 OF 003

Classified By: Ambassador Janet A. Sanderson, reasons 1.5(b) and (d).

[1](#)1. (C) Summary. Representing the Core Group, the UNSRSG and the ambassadors of Brazil, Canada, Germany (as EU president), and the United States met with President Preval February 13 for 90 minutes to discuss the current Senatorial election issue. The group urged Preval to ensure that the election is inclusive. Preval rejected any idea that the CEP decision was politically motivated, placing the blame on internal Lavalas politics and the refusal of FL President Aristide to designate a candidate list. He claims that the recent election machinations of Lavalas have exposed its weaknesses and division. He denied that the credibility of the elections is in jeopardy and claimed that the international community is "afraid" of Lavalas. While Preval's reaction was not unexpected, we note that the CEP has decided to delayed until January 16 its announcement of the results of the Grievance Board, the organization established to convey information on rejected files to the candidates. The Core Group members will take that decision into account before making any further statements, although most expect no real movement on the issue. At this point, the Core Group believes the international community's leverage over Preval and the CEP is limited, although there are indications that some donors may reconsider their financial support of the election if it is not more inclusive in nature. End Summary.

[1](#)2. (C) At the behest of the Core Group of Haitian Friends, the UNSRSG and the ambassadors of Brazil, Canada, Germany (as EU president), and the United States met with President Preval February 13 for 90 minutes to discuss the current Senatorial election impasse. Telling Preval that the Candidates List published last week helped create the perception that the election would not be sufficiently inclusive, the group urged Preval to encourage a political dialogue which would ensure the broadest possible participation within both the spirit and the letter of the law. The Group stated that under no circumstances did it question the right of the CEP to evaluate individual candidate dossiers in accordance with the law but noted that a wholesale refusal to register one party could possibly call into question the entire electoral process. Noting the important progress that has been made in building democratic institutions in Haiti, particularly the successful round of elections in 2006, the Core Group representatives reiterated their call for a political solution to this issue. The Core

Group underscored continued international support for the electoral process, but expressed concern about the perception that this decision was politically motivated and driven and might be viewed by the population as such.

13. (C) Alternatively passionate and controlled, occasionally angry, Preval strongly and repeatedly rejected any idea that the CEP decision was politically motivated or aimed specifically at Fanmi Lavalas. He placed the blame for the current impasse on a divided, fractious Fanmi Lavalas. He stressed to his visitors that the CEP was composed of representatives of a broad cross section of Haitian society and political allegiances and operates with "total independence." Preval said he believes that the CEP applied the electoral law rigorously and "appropriately, there was no exclusion." The CEP had established the conditions necessary for the election in accordance with Haitian law. Why, Preval asked rhetorically, should Haiti reshape its electoral process to accommodate Lavalas if it could not meet those conditions? This is, he told his visitors, not "exclusion" but rather a judgment rooted firmly in electoral law and the Haitian constitution. The CEP was not responsible if one or more parties were unable or unwilling to meet those conditions. The blame for any "misperception" therefore lies squarely with Lavalas.

14. (C) Preval denied that the credibility of the election might be in jeopardy absent broader party participation. The CEP had registered one party to run in the elections under the Lavalas name and banner. However, divided and disorganized, the party could not determine who should carry that banner. Until such time as Aristide made a decision, the CEP rightly refused to confirm the registration any of the slates. It is not their problem if Lavalas can't act. Preval

PORT AU PR 00000169 002.2 OF 003

told us that he knew Aristide well. The former president would never grant anyone control of his party and thus none of the three factions would be able to truly use the FL name.

Do we want to call Aristide ourselves and ask what he wants? "He does not want to go to elections. That is clear."

Why should elections be held hostage to one man? How far, the president asked again, does our concern go? Drug trafficker Guy Philippe was also not confirmed as a candidate. Were we now arguing for his inclusion? At one point, he observed that some international critics of the CEP decision could well be politically motivated themselves.

15. (C) The President observed that we in the international community were greatly overestimating the popularity of Lavalas. We "worry" about violence in the streets, he charged. "Fine," he said, "you are afraid." But what is happening here, Preval argued, is not an effort to exclude Lavalas. "It is a Lavalas threat to violence and to demonstrate. That's democracy. You have to deal with it." The real perception, Preval said, is that Lavalas is divided, weak and ineffectual. It is fighting among itself. Its inability to organize a candidates list has become the butt of jokes and newspaper headlines. It was not up to the CEP to propose a solution. It is not Preval's responsibility to fix it either, the president said. This decision, this refusal to come together, is Lavalas's decision alone.

16. (C) One by one, the ambassadors expressed to the President their capitals' reservations about the CEP decision, noting that it would seem to limit participation in the election. The Group urged Preval to look to beyond a technical decision on a narrow legal interpretation of the Electoral Law. It suggested several alternatives, including letting all Lavalas factions run as Lavalas A, B and C, or letting the candidates run as independents if they were prepared to do so. Why not let the people decide which Lavalas truly represented their party? Preval clearly was not interested in any of them, while reminding us that the CEP exercised complete control over the elections. At one point he turned to the Canadian Ambassador and to me to say that he was

"furious" when he heard that we two and the OAS (later joined by the rest of the community) had issued statements on the matter. Upon reflection, he decided that these statements were helpful in giving the CEP some time in which to create a Grievance Board for candidates. But he charged that the international community has been manipulated by political forces who do not want to see the elections succeed in a democratic fashion.

17. (C) Comment. Subsequent to the meeting, the Core Group agreed that Preval gave little on the matter. Frankly, few of us were surprised. Preval has never been a fan of this election and in the past has privately worried about Lavalas sweeping the seats up for grabs. The CEP has disposed of that concern. In any event, the President will be pleased if these elections go away and clearly believes there is little we in the international community will do stop to that from happening.

18. (C) Comment continued. The CEP decision to publish the results of the Bureau de Doleances (Grievance Board) submissions, originally scheduled for later that afternoon January 13, has now been pushed off until January 16. We expect the CEP will do little or nothing to reverse its previous decisions on the candidate lists although we understand there has been some discussion about a possible deadline extension to give Lavalas one more attempt to pull together a list. While this is being played out, the Core Group has decided to make no public statements. Beyond that, the group will reassemble the evening of January 16 to discuss next steps, although most believe our leverage at this point is limited. My Canadian colleague noted that his government may/may re-examine its financial support for the elections if an effort is not made to attempt to fold in some members of the Lavalas list. We both agree, however, such a decision at this point by either of us, or by the EU, plays right into the hands of those who wish to see the election canceled or postponed. It will also serve to make us the villain of the piece.

19. (C) Comment continued. Preval's observation that the international community is "afraid" of Lavalas is cavalier but it does reflect a certain reality. Lavalas still has

PORT AU PR 00000169 003.2 OF 003

some potential, however limited, to bring people into the streets. Recent Lavalas demonstrations have been anemic, never totaling more than 5000-7000 loyalists (and often far less) and it is unclear if Lavalas's absence from the polls would serve as a rallying point. Although Preval told SRSG Annabi that MINUSTAH and the HNP could easily handle any disturbances, Core Group Ambassadors from troop contributing countries told their colleagues last week that their capitals would not look kindly on their troops being used - in the words of the Argentine ambassador - "to suppress Haitians wanting to express their political beliefs at the polls."
SANDERSON